

**U.S. DEPARTMENT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
MEDFORD DISTRICT  
CE#OR118-08-012**

**NEPA CATEGORICAL EXCLUSION REVIEW**

**A. Background**

Proposed Action Title: Programmatic Water Source Maintenance for the Glendale Resource Area , FY 08-FY13

Location of Proposed Action: Medford District, Glendale Resource Area

Description of Proposed Action: The Glendale Resource Area manages several water sources for the purpose of aiding in the suppression of wildfires for use by fire engines, water tenders, and helicopters. Maintenance on existing facilities generally includes but is not limited to: clearing brush and trees; removing accumulated sediment from developed spring sites; installing, repairing, or replacing spring boxes and culverts; repairing and/or replacement of pipelines; installing, repairing, or replacing devices that impede water seepage such as bentonite or pond liners; installation of safety devices such as fences and exit ramps; and minor road work such as grading and spot rocking. Maintenance work is generally performed by the BLM, personnel from the Oregon Department of Forestry (ODF), the Douglas Forest Protective Association (DFPA), and the Douglas Soil and Water Conservation District (DSWCD). Proposed work specific to each individual site would be reviewed by Glendale Resource Area specialists for necessary clearances prior to implementation.

**Project Design Features:** Project design features (PDFs) are specific measures included in the proposed action to minimize impacts on the human environment. All of the following would be considered for the proposed actions.

**Fuels**

Slash resulting from brushing and clearing activities would be lopped and scattered, handpiled, chipped, or removed from the site in order to prevent creating a fire hazard.

**Streams and Riparian Zones**

Equipment refueling would be done where at least 150 feet from streams, ponds or other wet areas. Equipment would not be stored in a stream channel overnight. Hydraulic fluid and fuel lines would be in proper working condition in order to minimize leakage into streams.

In-stream channel work would be restricted to between July 1 and September 15 (of the same calendar year) for the Umpqua Watersheds and June 15 and September 15 (of the

same calendar year) for the Rogue Watersheds in accordance with Oregon Department of Fish and Wildlife (ODFW) in-stream work period recommendations, except where the potential for greater damage to water quality and fish habitats exists.

Dispose of end-haul material in stable, non-floodplain sites as identified by the BLM Authorized Officer. Erosion control measures would be applied at disposal sites to minimize sediment delivery to water bodies.

Replacement culvert design and installation would meet Federal land management plan and ODFW standards.

Disturbance of existing riparian vegetation would be minimized to the greatest extent practical; in order to maintain slope stability.

Sediment control measures would be used such as straw bales, filter cloth, or sediment fences when conditions warrant.

Maximize maintenance activities during late summer and early fall to best avoid wet conditions.

Cutting vegetation on road fill slopes would be minimized in order to maintain slope stability and shading.

## **Soils**

Work would be temporarily suspended if monitoring indicates that rain storms have saturated soils to the extent that there is potential for causing excessive stream sedimentation.

Mulching would be done as soon as possible after excavation or ripping to reduce erosion.

A spill plan would be prepared. If a spill does occur, waste diesel, oil, hydraulic fluid and other hazardous materials would be removed from the site and disposed of at an approved landfill in accordance with federal regulations.

Soil disturbance associated with maintenance work would be limited to the footprint of the existing facility.

## **Noxious/Invasive Species/Port Orford Cedar**

Heavy equipment would be washed at an approved location before moving into the federal project area to remove soil and plant parts to prevent the spread of noxious weeds and disease.

In conducting maintenance activities in areas of Port-Orford Cedar, the Medford District's Port-Orford Cedar management guidelines would be adhered to.

## **Threatened and Endangered Species**

### Wildlife

If marbled murrelet activity or nesting sites exist, chainsaw activity would not occur within 0.25 miles of any occupied stand or unsurveyed suitable habitat within Zone B for the period of April 1 through August 5. For the period of August 6 through September 15, work activities would be confined to between two hours after sunrise and two hours before sunset.

Chain saw activities would not occur within 195 feet of a nest site or activity center of known pairs of spotted owls from March 1 through June 30. Chain saw activities within 851 feet of unsurveyed potential, viable owl nesting locations would also not operate from March 1 through June 30. If surveys were completed to the point that the location of a nest beyond the disturbance distance or the absence of nesting spotted owls could be confirmed to Protocol standards, or if inspection of the area by a wildlife biologist confirmed that no nests could occur within 195 feet of the chainsaw use, then a seasonal restriction would not be required for the rest of that nesting season.

Human disturbances that may disturb or interfere with raptor nesting will be prohibited within ¼ mile of active nesting areas between approximately March 1 and July 15, of the same calendar year.

### Fisheries

Water withdrawal equipment would have a fish screen installed, operated and maintained in accordance to NOAA Fisheries.

## **Cultural**

All required Section 106 cultural surveys of the National Historic Preservation Act would be completed for the Programmatic Water Source Maintenance for the Glendale Resource Area, FY 08-FY13 prior to site implementation

If cultural resources are found during project implementation; the project may be redesigned to protect the cultural resource values present, or evaluation and mitigation procedures would be implemented based on recommendations from the resource area archaeologist with concurrence from the State historic Preservation Office. An additional cultural resource survey may be required in the event the project location is changed or additional surface disturbing operations are added to the project after the initial survey. Any such survey would be completed prior to commencement of operations.

## **B. Land Use Plan Conformance**

This proposed action is consistent with policy directed by the following:

- the *Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (Northwest Forest Plan FSEIS, 1994 and ROD, 1994);
- the *Final-Medford District Proposed Resource Management Plan/Environmental Impact Statement and Record of Decision* (EIS, 1994 and RMP/ROD, 1995);
- the *Final Supplemental Environmental Impact Statement: Management of Port-Orford-Cedar in Southwest Oregon* (FSEIS, 2004 and ROD, 2004);
- *Medford District Integrated Weed Management Plan Environmental Assessment (1998)* and tiered to the *Northwest Area Noxious Weed Control Program* (EIS, 1985)
- Final Supplement to the 2004 *Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (FSEIS, 2007 and ROD, 2007).<sup>1</sup>

The proposed action is in conformance with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937 (O&C Act), Federal Land Policy and Management Act of 1976 (FLPMA), the Endangered Species Act (ESA) of 1973, the Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act, and the Archaeological Resources Protection Act of 1979.

This proposed action is consistent with management direction in the Medford District Resource Management Plan that directs the BLM to provide appropriate wildfire suppression responses that will help meet resource management objectives (USDI 1995, p. 89).

## **C. Compliance with NEPA:**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, (1.7) “Routine and continuing government business, including such things as supervision, administration, operations, maintenance and replacement activities having limited context and intensity; e.g. limited size and magnitude or short-term effects”; and 516 DM 11.9 (G)(2) “Installation of routine signs, markers, culverts, ditches, waterbars, gates, or cattleguards on/or adjacent to roads and trails identified in any land use or transportation plan, or eligible for incorporation in such plan”.

Department of the Interior Manual 516, Appendix 2 provides for a review of the criteria for categorical exclusion to determine if exceptions apply to this proposed action (see p.6-7).

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM2 apply.

I have reviewed the proposed action in accordance with the above criteria and have determined that the proposed action would not involve any significant environmental impacts. Therefore, the actions do not meet any of the criteria for exception and is categorically excluded from future environmental review.

#### **D. Agency Consultation**

##### **United States Fish and Wildlife Service (USFWS)**

In accordance with regulations pursuant to Section 7 of the Endangered Species Act 1973, as amended, consultation with the USFWS concerning the potential impacts of implementing the Programmatic Water Source Maintenance for the Glendale Resource Area, FY08-FY013 upon the northern spotted owl was completed. The USFWS Letter of Concurrence stated that the effects of this project may affect, but are not likely to affect the spotted owl or designated spotted owl critical habitat since the project implements the standards and guidelines of the Northwest Forest Plan and the District's RMP and would incorporate the mandatory Project Design Criteria (USDI-USFWS 2008, Appendix B, p.27-30)

##### **National Marine Fisheries Service (NMFS)**

Consultation for the Endangered Species Act with the National Marine Fisheries Service is not necessary as there would be no impact to listed species within the Planning Area. Southern Oregon Northern California (SONC) coho salmon and Oregon Coast (OC), listed as threatened, are present within this project area.

The proposed maintenance activities would have no effect on the SONC coho salmon, OC coho salmon, or Coho Critical Habitat (CCH) due to the proposed action would not result in a measurable increase in sediment or turbidity within the stream because typical water source maintenance activities are located above coho bearing streams. Water sources are generally near ridgetop locations that are hydrologically disconnected from fish-bearing streams. For water sources maintenance activities near coho bearing streams, there would also be no effect to SONC coho salmon, OC coho salmon, or Coho Critical Habitat (CCH) due to the effective erosion control measures in place during reconstruction. The proposed action would apply the above PDFs and Best Management Practices (BMPs) of the Medford District ROD/RMP (Appendix D), as well as the Project Design Criteria for road maintenance, pump chance maintenance and use, and helicopter pond maintenance and use as outlined in the Biological Assessment for Programmatic USDA Forest Service and USDI Bureau of Land Management Activities Affecting Southern Oregon/Northern California Coast and Oregon Coast Coho Salmon, Southern Oregon/Northern California Coast and Oregon Coast Chinook Salmon within

the Southwestern Oregon Province, Oregon (June, 2007) to minimize effects to coho salmon.

Consultation with National Marine Fisheries Service for habitat listed by the Magnuson Stevens Act is not required as there would be no adverse affects to Essential Fish Habitat.

### Archaeological and Cultural Surveys

All required Section 106 cultural surveys of the National Historic Preservation Act would be completed for the Programmatic Water Source Maintenance for the Glendale Resource Area, FY 08-FY13 prior to site implementation. All recorded cultural sites would be protected through the Project Design Features.

### NEPA Categorical Exclusion Review

Department of the Interior Manual 516 DM 2, Appendix 2 provides for a review of the following criteria for categorical exclusion to determine if exceptions apply to the proposed action based on actions which may:

1. Have significant adverse effect on public health or safety. ☐ Yes ☒ No

**Initial:** \_\_\_\_\_ **Remarks:** \_\_\_\_\_

2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas. ☐ Yes ☒ No

**Initial:** \_\_\_\_\_ **Remarks:** \_\_\_\_\_

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources. ☐ Yes ☒ No

**Initial:** \_\_\_\_\_ **Remarks:** \_\_\_\_\_

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental effects. ☐ Yes ☒ No

**Initial:** \_\_\_\_\_ **Remarks:** \_\_\_\_\_

5. Establish a precedent for future action or represent a decision in principle about a future actions with potentially significant environmental effects. ☐ Yes ☒ No

**Initial:** \_\_\_\_\_ **Remarks:** \_\_\_\_\_

6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. ☐ Yes ☒ No

**Initial:** \_\_\_\_\_ **Remarks:** \_\_\_\_\_

7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office. ☐ Yes ☒ No

**Initial:** \_\_\_\_\_ **Remarks:** \_\_\_\_\_

8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. ☐ Yes ☒ No

**Initial:** \_\_\_\_\_ **Remarks:** \_\_\_\_\_

9. Violate a Federal law, or a State, local, or Tribal law or requirement imposed for the protection of the environment. ☐ Yes ☒ No

**Initial:** \_\_\_\_\_ **Remarks:** \_\_\_\_\_

10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). ☐ Yes ☒ No

**Initial:** \_\_\_\_\_ **Remarks:** \_\_\_\_\_

11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites. (Executive Order 13007). ☐ Yes ☒ No

**Initial:** \_\_\_\_\_ **Remarks:** \_\_\_\_\_

12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive order 13112). ☐ Yes ☒ No

**Initial:** \_\_\_\_\_ **Remarks:** \_\_\_\_\_

**U.S. DEPARTMENT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
MEDFORD DISTRICT  
CE#OR118-08-012**

**NEPA CATEGORICAL EXCLUSION DECISION**

**Description of Action:** The Glendale Resource Area manages several water sources for the purpose of aiding in the suppression of wildfires for use by fire engines, water tenders, and helicopters. Maintenance on existing facilities generally includes but is not limited to: clearing brush and trees; removing accumulated sediment from developed spring sites; installing, repairing, or replacing spring boxes and culverts; repairing and/or replacement of pipelines; installing, repairing, or replacing devices that impede water seepage such as bentonite or pond liners; installation of safety devices such as fences and exit ramps; and minor road work such as grading and spot rocking. Maintenance work is generally performed by the BLM, personnel from the Oregon Department of Forestry (ODF), the Douglas Forest Protective Association (DFPA), and the Douglas Soil and Water Conservation District (DSWCD). Proposed work specific to each individual site would be reviewed by Glendale Resource Area specialists for necessary clearances prior to implementation.

**Decision and Rationale:** I have decided to implement the Programmatic Water Source Maintenance for the Glendale Resource Area, FY 08-FY13. These actions meet the need for action. In addition, I have reviewed the plan conformance statement and have determined that the proposed action is in accordance with the approved land use plan and that no further environmental analysis is required. Therefore, an environmental assessment or an environmental impact statement is not needed. It is my decision to implement the Proposed Action in accordance with 43 CFR 5003 – Administrative Remedies.

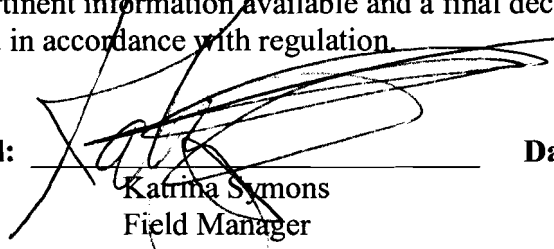
**Administrative Review :** This decision is subject to protest by the public. To protest this decision, a person must submit a signed, written protest to Katrina Symons, Field Manager, Glendale Resource Area, 2164 N.E. Spalding Avenue, Grants Pass, Oregon 97526 by the close of business (4:30 P.M.) not more than 15 days after publication of this decision on the Medford District Bureau of Land Management website at <http://www.blm.gov/or/districts/medford/index.php>. The protest must clearly and concisely state the reasons why the decision is believed to be in error.

For additional information concerning this decision contact Donni Vogel, Fire and Fuels Management Specialist, 2164 NE Spalding Avenue, Grants Pass, Oregon 97526, telephone (541) 471-6528 or Michelle Calvert, Planning and Environmental Coordinator, telephone (541) 471-6505.

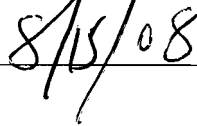


**Implementation Date:** If no protest is received by the close of business (4:30 P.M.) within 15 days after publication of this decision on the Medford District Bureau of Land Management website at <http://www.blm.gov/or/districts/medford/index.php>, this decision would become final and may be implemented immediately. If a timely protest is received, this decision will be reconsidered in light of the statements of reasons for the protest and other pertinent information available and a final decision will be issued which will be implemented in accordance with regulation.

**Authorized Official:**

  
Katrina Symons  
Field Manager  
Glendale Resource Area

**Date:**

  
8/15/08

**Contact Person**

For additional information concerning this CX review, contact Donni Vogel, Fire and Fuels Specialist, Grants Pass Interagency Office, 2164 NE Spalding Ave, Grants Pass, OR 97526, (541) 471-6528.